THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4974 of 2007

Dated:12.03.2007

Between:

B. Jacob.

...PETITIONERS

AND

The Special Chief Secretary, Revenue Department,
Hyderabad, and others.

...RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4974 of 2007

ORDER:

Land to an extent of Ac.0.42 in survey No.194/1 situated at Krishnapuram Village, Pamidimukkala Mandal, Krishna District, which is classified as drainage poramboke, was originally in occupation of rich ryots. Subsequently, on an application made by the petitioner, fifth respondent, namely, the Mandal Revenue Officer (MRO), granted D-Form patta in his (petitioner) favour. Out of said Ac.0.42 of land, according to the petitioner, land to an extent of Ac.0.23 is cultivable wet land where as land to an extent of Ac.0.19 is dry land being used as cattle shed, hayrick and dung heap. He alleges that at the behest of some of the ryots, MRO sent proposals for cancellation of D-Form patta issued in his favour. Fourth respondent, namely, the Revenue Divisional Officer (RDO), then issued orders on 12.05.2005 after issuing a show-cause notice. The petitioner filed an appeal before third respondent, namely, the Joint Collector, who ordered resumption of land admeasuring Ac.0.19 only. Not satisfied with the same, the petitioner again filed second appeal before second respondent, namely, the Commissioner, who dismissed the same on 05.01.2007. The petitioner then preferred a revision before the Government of Andhra Pradesh. Alleging that no orders of stay are passed, though there is threat of dispossession, instant writ petition is filed.

The petitioner admittedly preferred revision before the

Government of Andhra Pradesh, represented by the Special Chief Secretary, which is not a party herein. Secondly, when once the statutory remedy as provided under Board Standing Orders is availed, writ petition would not lie. If the Government rejects stay application, it is altogether a different matter. Therefore, the petitioner may pursue the matter with the Government.

The writ petition, with the above observations, is accordingly dismissed. No costs.

(V.V.S.RAO, J)

12th March, 2007
ghn